

Before the  
**Federal Communications Commission**

**MB Docket 04-233**  
**Broadcast Localism Proceeding**

Comments of  
**The Livingston Radio Company**

I, Gregory P. Jablonski, am President of the Livingston Radio Company, which is the licensee of radio station WHMI-FM, a standalone Class A FM station in Howell, Michigan. Howell is the county seat of Livingston County, which we consider our community, market, listening area, or any other way you would like to describe it. My wife, Marcia, and I have owned and operated WHMI-FM for over 19 years. As Livingston County's only station, we are intensely local. At this point you might expect me to list the many ways that we serve our community; I am not going to do that. Today is the deadline for comments in this proceeding, and I have had the chance to read many of the wonderful comments made by other broadcasters in this regard. There are, however, other comments that need to be made:

- No entity, certainly not the Commission, knows better how to serve a local market than the staffs of stations located IN THAT MARKET who live and earn their livelihoods in that market and respond to the needs of that market based on the competitive and financial pressures to which they are exposed every day. How presumptuous of the Commission to assume that it knows better!
- I program WHMI-FM in a manner of which, it seems, the Commission happens to approve – a lot of news and public service, local and live. However, I do this because it makes business sense in my marketplace and because I WANT TO. I certainly don't do it because it's what the Commission wants me to do! If the people of Livingston County ever want gospel-reggae 24/7, that's what they will get!
- The Public Interest IS what interests the public. The public votes by tuning in, or not. The marketplace, which has become a crowded place lately, should be the only determiner of content. Marketplace incentives, not government mandates, will deliver the best service to the public. To think that "wisdom" from inside the Beltway could possibly be better is preposterous!

- We are BROADCASTERS, not narrowcasters. With our knowledge, experience, wits, and risk, we attempt to attract the greatest number of listeners possible given competitive and financial constraints. I'm sure that when the Commission wants an EAS message or AMBER Alert to be effective, it's happy we have an audience. But, when the Commission is on its misguided Localism kick, it would prefer that we air programming that nobody wants to hear. I repeat – we are BROADCASTERS. Narrowcasters now have a wonderful outlet for their efforts; it's called the INTERNET.
- It seems that the Commission's localism concerns are somehow connected to the Telecom Act of 1996, twelve years hence. If the Commission has a problem with the results of consolidation, please talk to Congress. Stop taking it out on broadcasters. The Telecom Act of 1996 opened the door to consolidation, and several broadcasters chose to legitimately walk through that door. Now they are being vilified, and thousands of smaller independent broadcasters, such as The Livingston Radio Company, are being taken out to the woodshed along with them! How ludicrous!
- To think that the Commission finds the radio industry lacking in localism based on its ridiculous "Dog-and-Pony Localism Roadshow" is laughable. Those events were nothing more than opportunities for disgruntled political activists, religious activists, and garage bands to work themselves up into a fever pitch because their God-given right to a piece of spectrum hasn't materialized. They should be thankful that the internet gives them a means of expression that heretofore hasn't existed.
- I urge the Commission to stop trying to program our radio stations. I urge the Commission to stop trying to run our businesses. All elements in this Notice of Proposed Rulemaking are onerous, counterproductive, and ill-advised. They are the kinds of things that make we remaining independent broadcasters think of moving consolidation farther forward. They are attacks on broadcasters' First Amendment rights and cannot withstand the scrutiny of the courts.

With due respect,

Gregory P. Jablonski, President  
The Livingston Radio Company,  
Licensee of WHMI-FM

Howell, MI